

Gates County Board of Commissioners
Regular Meeting Minutes
May 19, 2008
7:00 P.M.

The Gates County Board of Commissioners met in regular session on Monday, May 19, 2008, at 7:00 PM in the County Commissioners' Room, 202 Court Street, Gatesville, NC. Commissioners Pierce, Askew, Jernigan and Nickens were present. Also present was Interim County Manager, Paul Gregory.

Chairman Pierce called the meeting to order.

PLANNING AND DEVELOPMENT SERVICES: Randall Cahoon, Planning and Development Services Director, reported that at the March 18, 2008 meeting, the Planning Board voted to approve changes to the Subdivision Ordinance and to the Zoning Ordinance that require a public hearing prior to amending the ordinances.

The Planning Board wished to have greater authority in terms of sketch plan approval for Major subdivisions. The first item, Section 403, Major Subdivision Review, Section 403.3 Plat Review, Sketch Plan Review, Information Required, is now to read: When a subdivision is subject to the major subdivision review process, the subdivider **developer** shall present a sketch plan of the proposed subdivision in its entirety to the ~~Subdivision Administrator~~ **Planning Board** for review... Also Sketch Plan Review, Action, is now to read: ~~The Subdivision Administrator~~ **Planning Board** shall review and discuss the proposed plan with the subdivider **developer** and ~~determine whether more information is needed prior to presentation to the Planning Board~~ **prior to the preparation of a preliminary major subdivision plat.** ~~When sufficient information is available, the Subdivision Administrator shall request that the subdivider prepare a preliminary plat.~~ **Following a vote of approval of the sketch plan by simple majority of the Planning Board, the developer may prepare a preliminary plat.**

There were no questions or comments by the Board.

PUBLIC HEARING REGARDING SUBDIVISION ORDINANCE:

Chairman Pierce then opened the public hearing regarding Section 403.3 Plat Review.

The following comments were received from the public.

Dan Bazemore commented that the public should go to the Planning Board as the appropriate first stage in developing a subdivision. The Planning Board and the developer can work out any problems before it goes to the next stage of development and be better prepared.

Robert Williams, a former member of the Planning Board, was in agreement that any developer should go to the Planning Board first.

Chairman Pierce closed the hearing and thanked the public for their comments.

Commissioner Nickens made the motion to accept the proposed changes to Section 403.3 of the Plat Review, Sketch Plan Review. Commissioner Askew seconded, motion carried with no opposition.

Mr. Cahoon proceeded to the next item for public hearing, Section 502, Lot Design Standards. In 2005 the Department of Transportation set a limit on the number of driveway culverts allowed and issued an option that the Planning Board has found unsuitable. The Institute of Government has stated that to ban shared driveways in brand new lots the following must be added to the ordinance: **B. Each lot created shall have its own separate private driveway for purposes of ingress/egress from the residence. Reverse frontage lot configuration shall be required when four or more lots are**

created for residential purposes. A thirty (30) foot long non-ingress/egress buffer shall be maintained on corner lots at the intersection of interior roads designed to serve major subdivisions in order to avoid multiple means of ingress/egress via private driveways. ~~E. Double frontage and reverse frontage lots shall be avoided, except where required to separate development from through traffic.~~

Commissioner Jernigan questioned if a 30 foot setback was enough of a buffer before you have a driveway. Mr. Cahoon responded that with the size of the lots, 30 feet is the least you could get by with.

Chairman Pierce then opened the public hearing regarding Minimum Design Standards, Section 502, Lot Design Standards.

The following comments were received from the public:

Dan Bazemore questioned if Mr. Cahoon knew what the state's right of way is at an intersection of a secondary road. Are we exceeding this right-of-way more than the state requires?

Mr. Cahoon responded that it is generally 60 feet, 30 feet from the centerline.

Mr. Bazemore questioned if there was not more of a right-of-way at an intersection on the short way, because on the property I own and the property my neighbors' own there are cement markers out there that belong to the state; that distance to the stop sign is more than 30 feet. If we are going to exceed what the state has, is that going to be just for large developments or for everyone.

Mr. Cahoon responded that he could not speak for the Planning Board but the Planning Board would like to go 30 feet beyond any marker the state puts out. The issue is we are trying to encourage developers to create interior roads but we need to make it clear about the driveway position.

Dan Bazemore questioned that this means that they are not going to be able to put any vegetation, trees, bushes or anything out. I heard you mention about the 175 foot lodging and the total footage of 200 plus feet in a settlement. That brings up another issue. Either six or seven months ago the Commissioners had a meeting with the Planning Board and there were some guidelines given about having 125 feet of road front, six tenths of an acre. Then it came before the Commissioners, one or two of the Commissioners commented that this is not exactly what they wanted. It was my impression it was sent back to the Planning Board for further discussion and come back with a recommendation. I was at one of those meetings and a Planning Board member did make that recommendation of 125 feet or six tenths of an acre and it was carried unanimously. When it got before the Commissioners, one or two of the Commissioners said it was not what they wanted and evidently they had enough influence to influence the rest and it was tabled. So what is this, if only 20 percent of the land in Gates County is suitable to build home sites. Now we live in today's times. What's going to happen 20 years down the road? What's going to happen when that 20 percent is gone? Do they stop? Are we going to be forward thinkers and say let's make plans for 20 to 40 years down the road and have something for our children as well as for us? Where do we stand on this?

Mr. Cahoon responded that according to health department guidelines, the minimum is 25,000 square feet.

John Hora from Eure commented that many of us started out in this county with one acre of land. We all know what land is going for. I would rather put that money into a house rather than a lot. There are a lot of young people that started out with single-wide house trailers and eventually build homes. What is the objective of what we are we trying to accomplish? Are we trying to keep our young people here? Are we trying to run them away? Are we trying to create an industry to give them good jobs so they can buy an acre, or do they have a family to give them an acre like I was. My father-in-law gave me

an acre of land. I probably would not have ended up in Gates County had he not done so. I have to go with what Dan said. What are we looking for? What are we looking for in the future? Who do we want to attract? Who do we want to run away?

Mr. Hora wanted to make one more comment. He read a statement from Section 502, Lot Design Standards, D. A water meter must be placed on each lot to be served by the County's water system. Does this mean that I cannot put down my own well? Is the county is trying to monopolize the water system?

Mr. Cahoon responded that a water meter has to be on the lot being served by the county water system but you certainly may have your own well.

Mr. Hora also questioned could not a private well serve multiple homes.

Mr. Gregory responded that a community well has to be tested by the State of North Carolina and certified and then they come back periodically and check the well.

Dan Boyce, Planning Board member, spoke in response to the 175 feet of road frontage required for a lot. If we had a HUD, we could have one half acre lots, but at this time there has not been a true HUD developed in this county. This would be most helpful to keep from using up all of the county land.

Commissioner Askew responded that we need to get our lots regulated because we are rapidly using up our land at the rate we are going.

Chairman Pierce closed the hearing and thanked the public for their comments.

Commissioner Jernigan made a motion to accept the change as written for Section 502, Lot Design Standards, but change 30 feet to 40 feet. Commissioner Nickens seconded, motion carried with no opposition.

Mr. Cahoon explained it was discovered that the multi-family district had no rules and we needed to differentiate between duplexes, apartments, etc. We came up with this breakdown with the number to the left being the highest number of units (RMF-2, RMF-8, RFM-36, and RMF-72). Anything over 72 units would need to get a variance. The fire department would regulate the height, 35 feet is as high as they can realistically go.

Chairman Pierce opened the Public Hearing regarding Section 5.01 Districts Established and Section 5.08 – RMF, Multi-Family District.

There was no public comment.

Chairman Pierce closed the hearing.

Commissioner Askew made a motion the changes be accepted as proposed. Commissioner Jernigan seconded, motion carried with no opposition.

Mr. Cahoon also discussed adding Sylvia Boone and Paulette Wester to the Board of Adjustments.

Commissioner Nickens made a motion to accept Mrs. Boone and Mrs. Wester to the Board of Adjustments, Commissioner Jernigan seconded, motion carried with no opposition.

Lynne Bunch, President, College of the Albemarle, stated the overall enrollment has increased as well as enrollment of students from Gates County. More students are enrolling due to the increase in university tuition. She thanked the Board for last year's \$12,000.00 contribution and would like to request an increase in this year's contribution to \$20,000.00.

Chairman Pierce thanked Ms. Bunch for coming and her request would be considered.

Renee McGinnis, Tax Administrator, updated the Board on retaining Ellis & Skinner, PLLC, for representation with handling county tax foreclosures. They currently charge \$150.00/hr. and \$85.00/hr. for paralegal time. She will get outstanding records back from Pitt Godwin and forward those to Ellis & Skinner to pursue.

Mrs. McGinnis also gave the Board an update on the Solid Waste Fee. She had unsuccessfully consulted with Chowan County. She needs guidance from the Board. Does she need to seek legal guidance? She was forming a committee to work on this composed of Daphne Walker, Tim Hedgepeth and a Board member. Commissioner Nickens volunteered to assist. The committee will work with the existing ordinance and come up with a new ordinance to better serve the county.

There were no unscheduled appointments.

Mr. Gregory presented to the Board the advertisement for the County Manager position. The advertisement is to be on the local newspaper, the Commissioners' bi-monthly newsletter, and put on the State web site. Commissioner Jernigan wanted to add to the advertisement that the person taking the position become a resident of Gates County.

Sharon Jones made a request that the advertisement be run in a Raleigh newspaper.

Commissioner Askew made a motion to accept the advertisement with changes, Commissioner Nickens seconded, motion carried with no opposition.

Mr. Gregory stated that prior to Commissioner Brown's resignation, he was the Legislative Liaison to our local Board. A replacement is needed. Commissioner Jernigan made a motion for Commissioner Askew to fill that position. Mr. Nickens seconded, motion carried with no opposition.

Mr. Gregory asked the next two items on the agenda be tabled for the next meeting.

Mr. Gregory, in an update regarding the renovation of the old DSS building, presented a sketch of the building showing the layout of the future offices. The renovations are going well but a decision needs to be made regarding the new phone system. Carolina Computers has been consulted. The current cost is over \$30,000.00. Mr. Gregory suggest that the finance officer, county manager and a board member work on a plan and put it out for bids. We can connect to the Department of Social Services but will not be able to tie in to their system.

Commissioner Jernigan suggests a central phone system for all offices.

Mr. Gregory suggested a Water Department staff member assist the phone company with the installation of the cable under the road.

Sandy Pittman, Finance Officer, Commissioner Jernigan and the County Manager will form the committee to work on the new phone system.

Paul Gregory provided an update on the amendment to the personnel policy in regard to personal use of county vehicles. Mr. Gregory read the noticed published in the local newspaper.

Chairman Pierce opened the Public Hearing regarding personal use of County Vehicles.

John Hora requested the driver use of cell phones be limited to speaker phone use only.

Sharon Jones wanted to know why the 911 vehicle is at the school in the morning and afternoon. The vehicle did not need to be driven all over the county for personal use.

Chairman Pierce replied that the employee was not running all over the county but was on his way to work.

Sharon Jones suggests that the 911 vehicle stay parked at the sheriff's office and for the employee to use their personal vehicle to transport their children.

Chairman Pierce explained the employee drove the vehicle home in case they got a call at night, they could readily respond. The employee was not allowed to drive it out at night unless they got a call.

John Hora stated he did not know how the county operated in this manner but if an employee uses a vehicle for personal use, they should fill out a form to reimburse the county.

Dan Bazemore stated he drove a company vehicle and he had to sign a statement that if he was involved in an accident while transporting his children and/or spouse, the company was not liable. He also completed a use form and it was considered part of his salary.

Sharon Jones stated she had pictures of the animal control officer taking her children to school in the county vehicle.

Sherry Grant stated there needs to be a chain of command for employees to report to. She had reported an incident of an employee driving erratically and was told there was no one to report it to.

Mr. Cahoon wanted to know if there was any department exempt from this type of reporting.

Mr. Gregory responded the only department not covered under this policy is the Sheriff's Department. The Sheriff is responsible for his department.

John Hora questioned if employees filled out a mileage or trip log.

Jackie Sears stated there are guidelines with the State regarding the use of vehicles.

Chuck Brothers stated the language in the ordinance should relate to Alpha employees, those who under a state of emergency, need the vehicle at their home. The language used in the ordinance should not restrict the employee's reaction to a disaster/emergency.

Sheriff Webb responded the language in the policy was enacted upon in 1984-85. The policies and procedures were approved by the insurance carrier and recommended to be accepted by the Board of Commissioners. Ride-a-long waivers are available and are used by citizens to ride with a deputy/sheriff. His door is always open to the public and no one has come to him regarding this issue.

Chairman Pierce advised the citizens to speak to Sheriff Webb if they had a concern.

Chairman Pierce closed the public hearing.

Commissioner Askew made a motion to table the issue of personal use of county owned vehicles. Commissioner Nickens seconded, motion carried with no opposition.

Mr. Gregory discussed the cost to purchase recognition pins for volunteers.

Commissioner Jernigan questioned the number to be purchased.

Mr. Gregory responded 100 is the smallest quantity available.

Sandy Pittman, Finance Officer, discussed the CDGB contract that was awarded to the Albemarle Commission. The Albemarle Commission is to handle everything, our only responsibility is to pay the bills.

Mr. Gregory stated the contract was a standard contract, he was familiar with The Albemarle Commission, they did everything but write the checks.

Mr. Gregory discussed the request to transfer a surplus 2001 Water Department truck to the Gates County Community Center. The Community Center needs a truck for hauling trash. Their truck is no longer serviceable. The Water Department also has a surplus 1997 2-wheel drive truck and a pump that has been out of service for 10 years.

Commissioner Jernigan made a motion to transfer the surplus 2001 truck to the Community Center, sell the surplus 1997 truck and the surplus pump. Commissioner Nickens seconded, motion carried with no opposition.

There were no additional citizen comments.

After a brief break, Commissioner Jernigan made a motion to go into Executive Session to discuss Personnel Matters. Commissioner Askew seconded, motion carried with no opposition.

Commissioner Jernigan made a motion to re-enter in Regular Session. Commissioner Askew seconded, motion carried with no opposition.

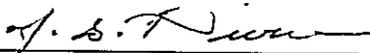
Commissioner Jernigan made a motion to accept Commissioner Nickens' salary request. Commissioner Askew seconded, motion carried with no opposition.

Chairman Pierce stated someone needs to come in to complete the budget.

Sandy Pittman stated there were issues from last year's budget that still needed to be resolved.

Chairman Pierce stated the NCACC will be called in the morning.

Commissioner Jernigan made a motion the meeting be adjourned. Commissioner Nickens seconded, motion carried with no opposition.



J. S. Pierce
Chairman, Board of Commissioners

GATES COUNTY BOARD OF COMMISSIONERS
